IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

Bail Appl..No. 64 of 2007()

Crime No.199/06 of Pathanamthitta Police Station

: PETITIONER/ACCUSED NOS.2 & 3 IN CRIME NO.199/2006:

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1. SANIL, AGED 28 YEARS,
S/O. PODIAN, RESIDING AT KANJIRVELIL HOUSE,
ELAVUMTHITTA P.O., MUTTAKONAM MURI,
CHENNERKARA VILLAGE, KOZHENCHERRY.

2. AJI, AGED 30 YEARS,
S/O. THANKACHAN, RESIDING AT THANINIKKUNNATHIL
HOUSE, ELAVUMTHITTA P.O., MUTTAKONAM MURI,
CHENNERKARA VILLAGE, KOZHENCHERRY.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT: COMPLAINANT IN CRIME NO.199/2006:

STATE OF KERALA,
REPRESENTED BY THE PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 64 of 2007

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Dated this the 9th January, 2007.

ORDER

Petitioners, who are accused Nos. 2 and 3 in Crime No.199 of 2006 of Pathanamthitta Police Station for offences punishable under Sections 323, 324, 325 and 308 read with Section 34 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the first accused in the case had assaulted the de facto complainant causing a fracture on the right leg and the petitioners herein had hit him on the head with stones.

3. Anticipatory bail cannot be granted in a case of this nature having regard to the fact that the occurrence took place as early as on 23/2/2006. There is no reason why the petitioners should not seek regular bail. The learned counsel for the petitioners submitted that consequent on the submission of the final report, the committal proceedings have been initiated by the Magistrate. Accordingly, if the petitioners surrender before the Magistrate and file an application for regular bail within two weeks from today, the same shall be considered

and disposed of preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.Ramkumar,
Judge.

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